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495 Tesconi Circle
Santa Rosa, CA 95401
(707) 523-1010/ Fax (707) 527-8679
sro@w-and-k.com
www.w-and-k.com

FAX TRANSMITTAL

TO: Mr. Rick Brantenbach

FAX NO:

FROM: Northern California Chapter of Water Res.

DATE: 9/23/99

RE: Comments Bill/RLS

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NORTHERN CALIFORNIA CHAPTER OF WATEREUSE**1000 El Camino Real
Millbrae, CA 94030**

September 23, 1999

**Mr. Rick Breitenbach
CALFED Bay-Delta Program
1416 9th Street Suite 1155
Sacramento CA 95814**

Dear Mr. Breitbenbach

Introduction

"In a time when we are taught that our actions don't matter, stories carry greater weight than ever. They teach us how every gesture, every act, every choice we make sends ripples of influence into the future... stories that gain prominence in public dialogue will significantly shape public policy."

"Soul of a Citizen", Paul Roget Loeb

In order to prepare comments on Cal-Fed's Draft EIS/EIR, the Northern California Chapter of WaterReuse has reflected on the stories its member agencies can tell about successful water recycling projects. These success stories sum up actions and choices that can shape public policy and encourage wise, constructive and sustainable stewardship of the natural resources that define, so uniquely, our sense of place.

The Northern California Chapter of WaterReuse was formally established in 1994, with these objectives as stated in our by-laws

To promote water recycling as a supplemental source of water and as a means to reduce discharges to waters in Northern California; to work for the adoption of legislation and regulation that maximizes safe use of recycled water; to increase public awareness of water recycling efforts in Northern California.

Membership in our chapter is open to any organization interested in promoting the objectives of the Chapter. We are currently composed of a mix of water agencies, wastewater utilities, regulatory agencies and consultants. Our membership spans 10 counties and our member agencies plan to recycle over 200,000 acre-feet of water annually within the next 20 years. Many of our member agencies are affected stakeholders within the CALFED Bay-Delta planning process and have submitted comments on the Draft EIS/EIR. This letter, authored by the Chapter, focuses specifically on the Water Use Efficiency element of the Draft EIS/EIR and reflects needs and experiences of our membership.

**Mr. Rick Breitenbach
September 23, 1999**

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I. Role of Recycled Water in Sustainable Water Supply Planning

The Water Recycling Element of the Water Use Efficiency Plan misses the fundamental link between the recycled water supply and other Cal-Fed Benefits including agricultural water supply and water for the environment. These types of uses are less traditional than urban water recycling and require more time and incentives to implement. Because of this, the Chapter concurs that recycled water used in these applications cannot be reasonably included in Cal-Fed's water recycling estimates (pages 6-14 and 6-15 of the Water Use Efficiency Plan).

However, we strongly believe that the funding and financing mechanisms established through Cal-Fed must include eligibility for these types of projects.

Many of our member agencies are participating in the Bay Area Regional Water Recycling Program (BARWRP). BARWRP includes a significant component for in-stream restoration and wetland restoration. These projects, when successfully implemented will provide benefits to the Bay Delta Ecosystem and provide a learning laboratory for other projects and agencies. With Cal-Fed's Adaptive Management goals, it is important that projects like these receive early funding and regulatory support in order to assist in quantifying benefits that currently go unrecognized in the Draft EIS-EIR. The Chapter supports BARWRP's implementation agenda, which is attached to this letter.

Our member agencies are currently using recycled water to irrigate premium wine grapes and organically grown produce. Their projects provide the beginning data necessary to calculate potential water supply benefits to agriculture from recycled water. The Chapter is happy to facilitate data transfer from our members to Cal-Fed, as necessary to advance the understanding of the beneficial relationship between agriculture and recycled water.

Cal-Fed's presumption of tertiary treatment, often necessary for urban reuse, may be unfounded for environmental restoration projects. The Arcata Marsh, in Humboldt County, has provided beneficial impacts for Humboldt Bay for 20 years—the Marsh is supplied by a secondary treated recycled water supply. The emphasis on tertiary treatment drives up costs of recycled water projects and may not provide additional benefits. Cal-Fed's EIS-EIR should fairly address the full spectrum of beneficial water reuse.

II. Emphasis on Water and Wastewater Agencies in the Implementation Plan is too Narrow

Many of our member agencies have had considerable difficulty implementing water recycling projects because of underlying public concern about landuse and growth. The Chapter has begun an active outreach program to the environmental community, in attempt to engage potential project opponents in constructive discussion. This outreach has included acknowledgement of the environmental community's concerns about

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growth and the need for water planners to coordinate more closely with land use planners.

Current legislative proposals including SB 1130 (Costa), AB 1219 (Kuehl) and AB 1277 (Thompson) propose to strengthen the link between water resources planning, land use planning and Local Agency Formation Commissions. Cal-Fed's Implementation Program needs to recognize this growing nexus and actively include land use in its program.

III. *Economic Consequences of Drought*

Recycled water is a drought resistant water supply—it remains available when water supply is needed most. Cal-Fed's needs to provide guidance on calculation of the economic impacts of drought and allow for inclusion of these costs in the cost benefit analysis for recycled water planning.

IV. *The "Regulatory Knot" Remains Unaddressed*

The Chapter has previously requested that Cal-Fed create an ombudsman position to address all the unreasonable obstacles to increased water use efficiency that are scattered throughout California government, regulation and codes in order to facilitate improvement in project implementation. The position would serve to arbitrate, clarify and coordinate the policy decisions throughout the State so that the industry could do a more efficient job of implementing projects and spend less time reinventing the rules across the various jurisdictional lines.

The current Cal-Fed proposal leaves the current regulatory structure in place. This will frustrate project implementation and reduce the chances that the program will meet its water recycling goals.

V. *The Time Frame for Implementation is Unrealistically Short*

The WaterReuse Association has been actively working to resolve water-recycling limitations for over 15 years. The Chapter has been active for nearly six years. Cal-Fed proposes to "Resolve Water Recycling Limitations" in 1 to 3 years (Water Use Efficiency Program Plan, Section 2.3).

We applaud Cal-Fed for its aggressive pursuit of water recycling. However, we believe this unrealistically short implementation period will frustrate the Cal-Fed agencies, all stakeholders and the public. The full potential of water recycling may go unrecognized because of this frustration.

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The Chapter appreciates this opportunity to comment on Cal-Fed's Draft EIS/EIR. We appreciate the importance of Cal-Fed's Common Elements and look forward to working with the Cal-Fed Agencies to achieve and exceed the Program's water recycling goals.

Sincerely,



Cheryl K. Davis
President



Mary Grace Pawson
Secretary

C: WaterReuse Association - Main Association Office
Bay Area Regional Water Recycling Program
Southern California Regional Study
Mr. Peter MacLaggan, Executive Director WRA

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Recommended Actions to Implement Bay Area Water Recycling

FEDERAL AGENCIES

ALL

Support Regional Master Plan Recommendations

Support Water Recycling as Baseline Action for CALFED

Support CALFED Funding of Near-Term Implementation

Support Funding of Water Recycling Research and Public Education

BUREAU OF RECLAMATION

Modify Water Supply Agreements to Encourage Recycling

Support Water Transfers Related to Recycling

Support Title XVI Funding of Step 3 of Feasibility Phase

Support Title XVI Funding of Near-Term Implementation

CORPS OF ENGINEERS

Support Water Resources Development Act Funding of Near-Term Implementation

ENVIRONMENTAL PROTECTION AGENCY

Support Funding of Studies for Environmental Use of Recycled Water

Support Funding of Watershed Studies for Bay-Delta Ecosystem

Support Mass Based Approach to Toxics Control in the Bay and Delta

Support Trading Credits Related to Mass Discharges

Support Brine and Cooling Tower Blowdown Discharge in Existing Outfalls

FISH AND WILDLIFE SERVICE

Support NEPA Compliance for Near-Term Projects

Support Studies of Environmental Use of Recycled Water

Support Mass Based Approach to Toxics Control in the Bay and Delta

STATE AGENCIES

ALL

Support Regional Master Plan Recommendations

Support Water Recycling as Baseline Action for CALFED

Support CALFED Funding of Near-Term Implementation

Support Funding of Water Recycling Research and Public Education

DEPARTMENT OF WATER RESOURCES

Support Water Transfers Related to Recycling

DEPARTMENT OF HEALTH SERVICES

Take Leadership Role in Planned Water Recycling Research

Take Leadership Role in Public Education Regarding Safety of Recycling

DEPARTMENT OF FISH AND GAME

Support Studies of Environmental Use of Recycled Water

STATE WATER RESOURCES/CONTROL BOARD REGIONAL WATER QUALITY CONTROL BOARD

Support Funding of Studies for Environmental Use of Recycled Water

Support Funding of Watershed Studies for Bay-Delta Ecosystem

Support Mass Based Approach to Toxics Control in the Bay and Delta

Support Trading Credits Related to Mass Discharges

Support Brine and Cooling Tower Blowdown Discharge in Existing Outfalls

Support Studies to Reduce Salts and Other Constituents of Concern for Recycling

Support Water Transfers Related to Recycling

LOCAL AGENCIES

ALL

Support Regional Master Plan Recommendations

Support Ongoing Regional Entity to Coordinate Bay Area Water Recycling

Support Water Recycling as Baseline Action for CALFED

Support CALFED Funding of Near-Term Implementation

Support Title XVI Funding of Step 3 of Feasibility Phase

Support Title XVI Funding of Near-Term Implementation

Support Funding of Water Recycling Research and Public Education

CITIES/COUNTIES

Develop Ordinances to Encourage/Require Recycled Water Use

WATER AGENCIES

Support Water Recycling as Baseline Action for CALFED

Refine Local Recycling Projects to Incorporate Regional Master Plan Recommendations

Modify Water Supply Agreements to Encourage Recycling

Develop Cooperative Agreements with Other Agencies as Appropriate to Enable Water Transfers Related to Recycling

WASTEWATER AGENCIES

Support Studies for Environmental Use of Recycled Water

Support Watershed Studies for Bay-Delta Ecosystem

Support Mass Based Approach to Toxics Control in the Bay and Delta

Support Trading Credits Related to Mass Discharges

Support Brine and Cooling Tower Blowdown Discharge in Existing Outfalls

Support Studies to Reduce Salts and Other Constituents of Concern for Recycling